



Received & Inspected

DEC 14 2011

FCC Mail Room

2555 E. First Street • Tucson AZ 85716

Ph. 520-881-1389 • Fax 520-881-0852

edgehighschool.org

Request For Waiver/Review
RE: CC Docket No. 02-6 and 96-45

December 5th, 2011

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, DC 20554

Edge High School
Rob Pecharich, Principal
2555 East First Street
Tucson, AZ 85716
(520) 881-1389 phone
(520) 881-0852 fax
robp@edgehighschool.org

To Whom It May Concern:

This purpose of this letter is twofold, first to request a waiver on the deadline for the Form 471 (#822925) for Edge High School (billed entity #223477), and second to request a review of the circumstances of why we were not able to appeal this successfully with the Universal Service Administrative Company (USAC) in the 60 day allotted timeframe. The reason that the Form 471 (#822925) was filed out of window was due to the fact that our existing contracts for Internet service was due to expire during the 2011-2012 school / fiscal year. Our original Form 471 (#793741) was filed on March 4th, 2011 and we were notified shortly thereafter while the form was under review that we would not be able to claim the discounted Internet service for the entire year when our contract expired mid-year. At that point we were instructed to file another Form 470 (#540040000925165) to seek services for the period after the existing contract expired and we did so on March 16th, 2011.

Upon USAC review of the initial Form 471 (#793741) we were told that we would be able to file a voluntary extension for month-to-month service for the remainder of the year after the existing contract expired. After inquiring with the USAC as to what path we should take considering the fact that we were not sure at the time that we would remain with our current service provider, we were told that the original instructions to file a new Form 470 for these services was the correct way to proceed. We were then instructed to follow-up with a Form 471 after the appropriate timeframe and bidding process to cover the services for the remainder of the year. As the 28 day waiting period would put us out of the Form 471 filing window, we were instructed to file the form anyway and that we then

Greg Hart
Executive Director

Rob Pecharich
Principal

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Pima Community College – CC

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edgehighschool.org

sent an out of window letter and at that time we could appeal this ruling with USAC to secure the discounted rate for the remainder of the year. After reviewing all options we chose to switch to a new service provider, Simply Bits (SPIN#143030504), as they could provide much more robust service at the same rate as we had been paying previously. A new Form 471 (#822925) was filed on August 12th, 2011 using the Arizona State Procurement Office Form 470 information (#119850000824906) and sought to secure service on a month-to-month basis for the remainder of this school / fiscal year. The new Form 471 (#822925) was mailed to USAC on August 12th, 2011.

At this point we waited for the out of window letter from USAC and we followed up regularly with them to see if it had been sent and repeatedly we were told that the Form 471 status was listed as incomplete and that it would take time for the out of window letter to be generated. Below is a list of the dates we called to inquire about this and the case numbers given for each call:

September 16th, 2011 – Case # 22-268237
October 7th, 2011 – Case # 22-275526
October 21st, 2011 – Case # 22-281298

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Finally, on November 4th, 2011 during an inquiry to the USAC (Case # 22-289418) we were told that the out-of-window letter had been sent out on September 2nd, 2011 and that we would have only 60 days from that time to file an appeal. As we were beyond that date already and we still had yet to receive the letter we were told in a subsequent call (Case # 22-289645) that the letter would be emailed to me and that we should then follow through with the appeal to the USAC. We did file an appeal with the USAC stating the above information and they replied with a letter (attached) that stated that they could not consider the appeal as it had been filed outside of the 60 day window.

Like most schools at present, Edge High School has suffered numerous budget cuts and simply cannot afford to lose these funds. We have consistently sought the advice of USAC in regards to this situation and hope that through the FCC this can be resolved. If any additional information or documentation is needed please feel free contact me.

Thank you

Sincerely,

Rob Pecharich, Principal



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2011-2012

November 16, 2011

Rob Pecharich
The Edge Charter School
2555 E. First St.
Tucson, AZ 85716

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DEC 14 2011

FCC Mail Room

Re: Applicant Name: THE EDGE CHARTER SCHOOL-PCAE
Billed Entity Number: 223477
Form 471 Application Number: 822925
Funding Request Number(s): 2241255, 2241256
Decision Letter Date: September 02, 2011
Date Appeal Postmarked: November 14, 2011
Your Correspondence Dated: November 02, 2011

Our records show that your appeal was postmarked more than 60 days after the date your Form 471 Postmarked Outside of Window Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. (We strongly recommend that you use the electronic filing options.)

Schools and Libraries Division
Universal Service Administrative Company

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

11/2/11

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Edge High School
Rob Pecharich, Principal
2555 East First Street
Tucson, AZ 85716
(520) 881-1389 phone
(520) 881-0852 fax
robp@edgehighschool.org

"Funding Year 2011 Form 471 Postmarked Outside of Window Letter"

This letter is to appeal the Form 471 (# 822925) out of window notification letter for Edge High School (billed entity # 223477). The purpose of this letter is twofold, first to appeal the fact that our Form 471 was postmarked out of window, and second that we never received the out of window letter until after the 60 day appeal period had passed. The reason that the Form 471 (# 822925) was filed out of window was because our existing contract for Internet service was due to expire during this school / fiscal year. Our original Form 471 (# 793741) was filed on March 4th, 2011 and we were notified shortly thereafter that we would not be able to claim the discounted Internet service for the entire year when our contract expired mid-year. At that point we were instructed to file another Form 470 (# 540040000925165) to seek services for this period and we did so on March 16th, 2011.

Upon USAC review of the initial Form 471 (# 822925) we were then told that we would be able to file a voluntary extension for month-to-month service for the remainder of the year after the existing contract expired. After inquiring with the USAC as to what path we should take considering the fact that we were not sure we would remain with our current service provider, we were told that the original instructions to file a new Form 470 for these services was the correct way to proceed. We were then instructed to follow-up with a Form 471 after the appropriate bidding process to cover the services for the remainder of the year. We were told at that time that we would be sent an out of window letter and that we could appeal this to secure the discounted rate for the remainder of the year.

After reviewing all options we chose to switch to a new service provider, Simply Bits (SPIN# 143030504), as they could provide much more robust service at the same rate as we had been paying previously. A new Form 471 (# 822925) was filed on August 12th, 2011 using the Arizona State Procurement Office Form 470 (# 119850000824906) information and sought to secure service on a month-to-month basis for the remainder of this school / fiscal year. The new Form 471 (# 822925) was mailed to USAC on August 12th, 2011. We followed up regularly with the USAC to see if the out of window letter had been sent and repeatedly we were told that the status was listed as incomplete and that it would take time for the letter to be generated. Below is a list of the dates we called to inquire about this and the case numbers given at that time:

September 16th, 2011 – Case # 22-268237

October 7th, 2011 – Case # 22-275526

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Finally on November 4th, 2011 during an inquiry to the USAC (Case # 22-289418) we were told that the out-of-window letter had been sent out on September 2nd, 2011 and that we would have only 60 days from that time to file an appeal. As we were beyond that date already and we still had yet to receive the letter we were told in a subsequent call (Case # 22-289645) that the letter would be emailed to me and that we should then follow through with the appeal to the USAC. Please feel free to contact me if any additional information is needed or to provide further information as to how we should proceed with this matter.

Thank you



Universal Service Administrative Company
Schools & Libraries Division

FUNDING YEAR 2011 FORM 471
POSTMARKED OUTSIDE OF WINDOW

September 2, 2011

ROB PECHARICH
THE EDGE CHARTER SCHOOL-PCAE
2555 E. FIRST ST.
TUCSON, AZ 85716

Re: Applicant's Form Identifier: RP 1112
Form 471 Application Number: 822925

We're sending this letter to thank you for your recent Form 471 application. Your Form 471 application and/or certification was submitted online or postmarked AFTER the deadline for an application to be considered as filed within the window.

Program rules require us to hold your application pending final review of those applications that were filed within the window. We will post an announcement on the USAC website at www.usac.org/sl once we determine if funding applications that were submitted within the application filing window will fully utilize all the funds available for this Funding Year.

For more information about the processing of pending applications, about funding for applications filed after the close of the filing window or about plans for future funding years, please visit our website or call the Client Service Bureau at 1-888-203-8100.

TO APPEAL THIS DECISION:

If you wish to appeal a decision indicated in this letter, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the decision letter and the decision you are appealing:
 - Appellant name,
 - Applicant or service provider name,
 - BEN,
 - Application number 822925 as assigned by USAC,
 - "Funding Year 2011 Form 471 Postmarked Outside of Window Letter,"AND
 - The exact text or the decision that you are appealing.
3. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.

Anthony
Case # 22-291819
Have to send to FCC
"Waiver Request"
Received & Inspected
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FCC Mail Room

TW rep
LISA Ercanbrack
520-618-4278

DUPLICATE LETTER

4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.

5. Provide an authorized signature on your letter of appeal.

To submit your appeal to USAC by email, email to (appeals@sl.universalservice.org)
USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973)599-6542.

To submit your appeal to us on paper, send your appeal to:
Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West
PO Box 685
Parsippany, NJ 07054-0685

You have the option of filing an appeal with USAC or with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in the "Appeals Procedure" posted on our website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Schools and Libraries Division
Universal Service Administrative Company

Darryl J. Cornell

From: Melissa Gomez
Sent: Thursday, December 01, 2011 12:03 PM
To: Darryl J. Cornell; Rob Pecharich
Subject: FW: tw telecom Order Confirmation # 701391

Is all this information correct? I will confirm after your approval ☺

Melissa

Received & Inspected

DEC 14 2011

FCC Mail Room

From: customercare@twtelecom.com [mailto:customercare@twtelecom.com]
Sent: Thursday, December 01, 2011 9:31 AM
To: Melissa Gomez
Subject: tw telecom Order Confirmation # 701391

Disconnect Order Confirmation



If you have questions concerning this request, please call Customer Care at 1-800-829-0420 option 2.

Please review the information listed below and verify its accuracy. The Disconnect Due Date has been determined based upon the date you requested the disconnection of your service(s). If you wish to make any modifications to this order, please contact **tw telecom** at least 5 days prior to the Disconnect Due Date listed below. If we do not hear from you, we will proceed with disconnecting the services you've request below.

If the services you're disconnecting were provided with **tw telecom** owned equipment, a **tw telecom** technician will arrive at your business location after your services have been disconnected. Please provide any necessary access to our technicians so we can collect any **tw telecom** equipment.

Account Name	EDGE HIGH SCHOOL
Account Number	307244
Disconnect Due Date	12/27/2011
Completed Date	
Order Number	701391
Service Address	3836 S EVANS BLVD, TUCSON, AZ 85714, USA Bldg: TWTC CO 2555 E 1ST ST, TUCSON, AZ 85716, USA 231 W GIACONDA WAY, TUCSON, AZ 85704, USA Ste: 113 15500 S SAHUARITA PARK RD, SAHUARITA, AZ 85629, USA

	Flr: 1
Services Disconnected	Per request attached; To disconnect all services on this account. EBD 12/25/2011

Thank you for your business.

tw telecom Customer Care
1-800-829-0420 option 2

The above message constitutes a modification to the services ordered by the Customer and is a binding contract for those services under the terms and conditions of the Customer's written contract. By utilizing these services, Customer agrees to pay the additional monthly recurring and/or non recurring charge shown above. Note that this form is valid only for additional features or services with a combined MRC and NRC that do not to exceed \$250. If Customer disagrees with anything contained in this message, Customer must respond to this email address within 30 days of the date this message was transmitted. To confirm the content of this message, we request that you respond to this email with your approval to pay the additional charges. If the Customer does not respond at all to this message within 30 days of this transmittal, the Customer will be deemed to have accepted and agreed to be bound by the contents of this message.